IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.61403 -M of 2006

DATE OF DECISION: NOVEMBER 27, 2006

Krishan Lal

...PETITIONER

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.S.P.S.Sidhu , Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.
Mr.Manish Bansal, Advocate,
for the complainant.

...

Petitioner Krishan Lal apprehending his arrest in a non-bailable offence in case FIR No.132 dated 24.11.2005 registered under Sections 302/34 IPC at Police Station Khui Khera, Distt.Ferozepur, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that during the police investigation, the petitioner was found innocent. Thereafter, on an application filed by the prosecution after recording the statement of the complainant as PW1 and Mangtu Ram as PW2, the petitioner has been summoned under Section 319 Cr.P.C. Counsel contends that both the Pws have improved their version. Initially, the petitioner was not named by the son of the complainant and by aforesaid Mangtu Ram. In the statement of PW2 Mangtu Ram recorded under Section 164 Cr.P.C., it was not satated that the petitioner was present at the time of the alleged occurrence.

Counsel for the petitioner further contends that in terms of the interim order dated October 10, 2006, the petitioner had appeared before the trial Court and furnished his regular bail bonds which have been accepted and attested vide order dated 24.10.2006. A certified copy of the said order

has been placed on the record. Counsel further contends that since then the petitioner has been regularly appearing. These facts have not been disputed by the State counsel.

In view of the above, the interim order dated October 10 , 2006 is made absolute.

Disposed of accordingly.

November 27, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE